


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Gainesville

JAN - 4 2019

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

UNITED STATES OF AMERICA,

v.

ELIO PENALOSA-DUARTE,


Defendant.

:
:
: CRIMINAL ACTION NO.
: 2:15-CR-26-2-RWS-JCF
:
:
:

ORDER

This matter is before the Court on the Report and Recommendation of Magistrate Judge J. Clay Fuller [Doc. No. 64]. No objections have been filed thereto. Having carefully reviewed the record and the Report and Recommendation, the Report and Recommendation [Doc. No. 64] is hereby approved and adopted as the opinion and order of this Court. As such, Defendant's Motion to Vacate [Doc. No. 63] is DISMISSED as time-barred, and a Certificate of Appealability is DENIED. The Clerk is DIRECTED to close the Civil Action, 2:18-CV-213.

SO ORDERED this 3rd day of January, 2019.


RICHARD W. STORY
United States District Judge